

tax heretofore voted or bonds heretofore issued by Common School District No. 8, Motley county, Texas, to be in full force and effect in so far as this act might affect them, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, January 28, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 19, A bill to be entitled "An Act reorganizing the Thirtieth Judicial District by amending subdivision 30, Article 30, of the Revised Statutes of 1911, as amended to hereinafter read as follows, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

#### FIFTEENTH DAY.

(Friday, January 30, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Cox of Navarro.
Albritton.	Cummings.
Alexander	Dale.
of Bastrop.	Daniels.
Alexander	Davis of Dallas.
of Limestone.	Davis of Wood.
Amsler.	DeBerry.
Atkinson.	Dielmann.
Avis.	Donnell.
Baker of Orange.	Downs.
Baker of Panola.	Dunn of Falls.
Barker.	Dunn of Hopkins.
Barron.	Durham.
Bartlett.	Enderby.
Bateman.	Fields.
Bean.	Florence.
Bird.	Frnka.
Bobbitt.	Graves.
Boggs.	Gray.
Bonham.	Hagaman.
Brown.	Hall.
Bryant.	Harman.
Cade.	Harper.
Carter.	High.
Chitwood.	Hollowell.
Coffey.	Hoskins.
Conway.	Irwin.
Coody.	Jacks.
Covey.	Jasper.
Cox of Lamar.	Johnson.

Jones.	Renfro.
Jordan.	Rice.
Justice.	Robinson.
Kayton.	Rogers.
Kemble.	Rowell.
Kenyon.	Rowland.
King.	Runge.
Kinnear.	Shearer.
Kittrell.	Sheats.
Laird.	Simmons.
Lane of Hamilton.	Sinks.
Lane of Harrison.	Smith of Nueces.
Loftin.	Smith of Travis.
Mankin.	Smyth.
Masterson.	Sparks.
McBride.	Stautzenberger.
McDonald.	Stell.
McDougald.	Stevens.
McFarlane.	Stevenson.
McGill.	Stout.
McKean.	Strong.
Merritt.	Taylor.
Montgomery.	Teer.
Moore.	Tomme.
Nicholson.	Veatch.
Parish.	Walker.
Perdue.	Webb.
Poage.	Westbrook.
Pool.	Wester.
Pope.	Williamson.
Powell.	Wilson.
Purl.	Woodruff.
Rawlins.	Young.
Raymer.	

Absent.

Blount.	Houston.
Finlay.	Low.
Foster.	Wade.

Absent—Excused.

Bedford.	Pavlica.
Dinkle.	Pearce.
Dunlap.	Petsch.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Lipscomb.	Thompson.
Maxwell.	Wallace.
McNatt.	Wells.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Simpson for today, on motion of Mr. Lane of Harrison.

Mr. Hull for today, on motion of Mr. Cade.

Mr. Petsch for today and tomorrow, on motion of Mr. Runge.

Mr. Wells for today and tomorrow, on motion of Mr. Baker of Orange.

Mr. Florence for today, on motion of Mr. Teer.

Mr. Wallace for today, on motion of Mr. Frnka.

Mr. Storey for today and tomorrow, on motion of Mr. Loftin.

Mr. Dinkle for today and tomorrow, on motion of Mr. Conway.

Mr. Sanford for today and tomorrow, on motion of Mr. Merritt.

Mr. Bedford for today, on motion of Mr. Robinson.

Mr. Johnson for today and tomorrow, on motion of Mr. McDougald.

Mr. Thompson and Mr. Pavlica for today and tomorrow, on motion of Mr. Davis.

Mr. Lipscomb for today and tomorrow, on motion of Mr. Cox of Navarro.

The following members were granted leave of absence on account of sickness:

Mr. Dunlap for today and tomorrow, on motion of Mr. Jacks.

Mr. Faulk for today, on motion of Mr. Montgomery.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Young:

H. B. No. 292, A bill to be entitled "An Act placing a closed season of five years on antelope, mountain sheep, wild pheasant, wild woodcock, wild wood-duck, and wild prairie chicken; and providing open season for killing prairie chickens in certain counties; providing a penalty for the violation of same; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Merritt:

H. B. No. 293, A bill to be entitled "An Act to create the Dry Lake Independent School District situated in Dickens county, Texas; providing for a board of seven trustees; defining the powers of said board of trustees; validating all outstanding indebtedness and providing that said indebtedness shall be assumed by Dry Lake Independent District; validating and continuing in force taxes heretofore levied; vesting the title of certain school property in the board of trustees of the Dry Lake Independent School District; placing the district in all other matters under the

provisions of the general law, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Bryant and Mr. Young (by request):

H. B. No. 294, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district together with jurors heretofore selected are valid and returnable to the first term of such court after this act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms, repealing all conflicting laws, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Kittrell, Mr. Pool, Mr. Hall and Mr. Purl:

H. B. No. 295, A bill to be entitled "An Act to amend Sections 5, 11 and 13, of Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and adding thereto new Sections 13a, 13b, 13c, 13d, 13e, 13f, 13g, 13h, 13i, 13j, 13k, 13l, 13m and 13n, as follows: by amending Section 5, prescribing the qualifications, powers and duties of the Texas State Board of Examiners in Optometry; by amending Section 11 to provide for applications for licenses, prescribing qualifications of applicants for licenses, registration and examination of applicants, issuance, recording and registration of licenses and certificates, and fees therefor; providing minimum and maximum standard of education for applicants, and empowering board to regulate this standard; providing for the issuance of licenses by reciprocity with other States and fees therefor; by amending Section 13, providing for the revocation of licenses for cause, and the manner in which said licenses may be revoked by the board, giving right of appeal from decision of board to the District Court of Travis county; providing that district and county attorneys, or Attorney General of the State in all court actions when authorized by the board shall act; making it the duty of county clerks of each county to note revocations of license in the optometry regis-

ter of the county, upon notice by publication; making provision for reinstatement of licenses; prescribing duty of county clerks to make entries in optometry registers of expiration of license because of death of an optometrist; by adding Section 13a, providing for an annual renewal fee and the price therefor, and declaring the license void for non-payment thereof; by adding Section 13b, prescribing the duties of board as to issuance and refusal of annual renewal certificates; by adding Section 13c, defining 'itinerant,' and prescribing regulation and fees for issuance of 'itinerant' certificates; by adding Section 13d, defining and construing the words 'ascertaining' and 'measuring the powers of vision of the human eye,' as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13e, defining and construing the words 'and fitting lenses or prisms,' as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13f, defining and construing the words 'a bill of purchase or sale,' as used in Section 14, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13g, defining and construing the words 'persons who sell spectacles and eye-glasses as merchandise,' as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13h, defining and construing the words 'and those who fit glasses for their customers,' as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session; by adding Section 13i, providing for and defining certain violations of this act in the interest of public health, welfare, safety and comfort, and making these violations unlawful and providing penalties therefor; by adding Section 13j, allowing an optical mechanic to do the mechanical work of manufacturing ophthalmic lenses and the sale thereof to licensed prescriber of glasses and defining ophthalmic lenses, and allowing sale of ready-to-wear spectacles and eye-glasses as merchandise at wholesale to merchants for the purpose of resale as merchandise; by adding Section 13k, defining and construing the words 'other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public,' as used in Section 12, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and for the purpose of subdivision, providing for conclusive evidence; by

adding Section 13l, prescribing that the singular number shall include both singular and plural and vice versa, that the masculine gender shall comprehend also the feminine gender and vice versa; by adding Section 13m, making it unlawful for any person in this State to give or cause to be given, deliver or cause to be delivered, in any manner whatsoever, any spectacles and any eye-glasses, as a prize or a premium, as an inducement to sell any book, paper or magazine, or to sell subscriptions therefor, or any work of literature or art, or any item of merchandise whatsoever; by adding Section 13n, providing that if any part is held unconstitutional or inoperative, it shall not invalidate any other part, and that if any exception or limitation upon any general provision shall be held unconstitutional, or invalid, the general provisions shall stand effective and valid, and to declare an emergency."

Referred to Committee on Public Health.

By Mr. Kinnear:

H. B. No. 296, A bill to be entitled "An Act providing for permanent first grade certificates; providing for the employment of teachers who have been engaged ten years in teaching a special subject, without requiring that they have certificates; providing for the issuance of emergency certificates; providing for the issuance of permits to teach trades; making this act cumulative of other laws, and declaring an emergency."

Referred to Committee on Education.

By Mr. Rawlins:

H. B. No. 297, A bill to be entitled "An Act to regulate the manufacture and sale of ice cream or nut ice cream in this State; prohibiting the sale of such products except under their true name and providing for inspection thereof; prescribing a standard for ice cream, fruit ice cream or nut ice cream."

Referred to Committee on Public Health.

By Mr. Bonham and Mr. Westbrook:

H. B. No. 298, A bill to be entitled "An Act placing the control, management, leasing for grazing, mineral and other purposes of all University of Texas lands solely in the Board of Regents of the University of Texas, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Boggs:

H. B. No. 299, A bill to be entitled "An Act to amend Chapter 107, Section 3 of the Local and Special Laws of the Thirty-fifth Legislature, regulating the method of taking or catching fish in the public fresh waters of Tom Green county, State of Texas, and providing for violations, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Albritton:

H. B. No. 300, A bill to be entitled "An Act to regulate the construction of locomotive engines, tanks and tenders used in interstate commerce in this State; providing the general specifications thereof; providing when they shall become subject to this act; conferring upon the Railroad Commission of Texas the power and duty to enforce this act; making it the duty of said commission to make certain investigations and to enter its orders, and to pass on certain facts; making it unlawful for any person, company, corporation, association, receiver or lessee to use any engine not constructed, built, altered or changed in compliance with this act and of the orders of the Railroad Commission; fixing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Renfro:

H. B. No. 301, A bill to be entitled "An Act creating the Goldthwaite Independent School District in Mills county, Texas; defining its boundaries, including the present Goldthwaite Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof, or any other law or laws that may be hereafter enacted governing independent school districts created or incorporated for free school purposes only under the general laws of this State; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the title to all school property within the boundaries herein defined shall be and is vested in the Goldthwaite Independent School District as herein created; providing that this act shall not affect local maintenance or bond taxes; repealing conflicting laws, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Gray:

H. B. No. 302, A bill to be entitled "An Act amending Chapter 6, Section 1, pages 7 and 8, of the laws passed at the Regular Session of the Thirty-seventh Legislature by extending for a period of five years from the date of the permit, on certain specified conditions, all permits to prospect for oil and gas heretofore issued on University lands and public school lands which were unsold on February 1, 1921, and fresh water lakes and islands therein which had not expired on February 1, 1921, and extending for a period of ten years from the date of the permit, on the same conditions, all permits to prospect for oil and gas heretofore issued on river beds or channels which have not expired when this act goes into effect, and extending for like periods and on like conditions, all permits to prospect for oil and gas heretofore issued on said land and said areas, and all permits to prospect for oil and gas heretofore issued after the Mineral Act of 1917 went into effect, on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas, which permits had expired on February 1, 1921, but on which the drilling of a well or wells had been begun in good faith or with reference to which permits and the right of the owner to the same to the possession of the area included therein bona fide litigation had existed during the whole or part of the term of the permit, providing that said permits are extended on the conditions stated in said act as here amended, so that said Section 1 of said act shall hereafter read as follows, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Teer, Mr. Chitwood and Mr. Irwin:

H. B. No. 303, A bill to be entitled "An Act amending Chapter 57 of the General Laws of the First Called Session of the Thirty-seventh Legislature, relating to the State penitentiary system; providing for the relocation of the State penitentiary system; providing for the disposition of the penitentiary property to accomplish the purpose of this act; providing for a modern penitentiary system and facilities; providing for the operation and maintenance of said system; providing the necessary officers,

agents and employes and making the necessary appropriations to carry out the purpose of this act, and declaring an emergency."

Referred to Committee on Penitentiaries.

#### HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Smyth:

H. J. R. No. 9, Proposing an amendment to Article 7, of the Constitution of the State of Texas, by changing Section 3, eliminating the provision authorizing the Legislature to create special districts and permitting the majority of the property taxpayers of a county to vote a school tax, and making an appropriation therefor.

#### BILLS ORDERED PRINTED.

On motion of Mr. Strong, House bill No. 265, reported adversely with a minority favorable report, was ordered printed.

On motion of Mr. Merritt, House bill No. 73, reported adversely with a minority favorable report, was ordered printed.

#### COMMITTEE SUBSTITUTES OR- DERED PRINTED.

On motion of Mr. Durham, the committee substitute for House bill No. 87 was ordered printed instead of the original bill.

On motion of Mr. Chitwood, the committee substitute for House bill No. 68 was ordered printed instead of the original bill.

On motion of Mr. Williamson, the committee substitute for House bill No. 27 was ordered printed instead of the original bill.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Durham, House bill No. 286 was ordered not printed.

On motion of Mr. Blount, House bill No. 101 was ordered not printed.

#### BILLS RE-REFERRED.

On motion of Mr. Stell, House bills Nos. 282 and 213 were withdrawn from the Committee on State Affairs and referred to the Committee on Agriculture.

#### RELATING TO HOUSE BILL NO. 289.

Mr. Runge moved to reconsider the vote by which House bill No. 289 failed to pass to engrossment and asked to have the motion to reconsider spread on the Journal.

#### EXTENDING THANKS TO EAST TEXAS NORMAL.

Mr. Conway offered the following resolution:

Whereas, The manual training department of the East Texas State Teachers College at Commerce, Texas, has presented the House of Representatives with a handsome mahogany table made by the boys in that school under the supervision of Professor J. G. Grove; and

Whereas, This work is a fine example of the splendid work done in that school; now therefore be it

Resolved, That the House of Representatives express its thanks and appreciation for this very beautiful gift, and that Professor Grove be congratulated on the splendid achievements of his department; and be it further

Resolved, That a copy of this resolution be enrolled and that the Chief Clerk be instructed to mail it to Professor Grove.

The resolution was read second time and was adopted.

#### IN REFERENCE TO DIARY OF CAP- TAIN ADOLPHUS STERNE.

Mr. Johnson offered the following resolution:

H. C. R. No. 6, In reference to diary of Captain Adolphus Sterne.

Whereas, Captain Adolphus Sterne, one of the outstanding makers of early Texas history from 1824 to 1852, organized the "New Orleans Grays," which assisted Colonels Milam and Johnson in capturing Bexar, and as captain of a volunteer company led his men to victory in the last battles in the Cherokee war, and served his fellow Texans in various civil capacities of justice of the peace, county commissioner, postmaster and State senator; and

Whereas, The diary of Captain Adolphus Sterne is in the possession of his son, Charles Adolphus Sterne, of Palestine; and

Whereas, Through the efforts of Miss Kate Hunter of Palestine, a member of the Texas Library and Historical Commission, Mr. Sterne has consented to present his father's diary, consisting of five volumes, to the State of Texas to be

deposited in the archives of the Texas State Library; and

Whereas, Mr. Sterne, on account of his extreme age of ninety-three, has delivered to Hon. Albert G. Greenwood, as his trustee, the diary of his father to be presented to the State of Texas as a gift from him; therefore be it

Resolved by the House, the Senate concurring, That the State of Texas accept the diary of Captain Adolphus Sterne to be deposited in the archives of the Texas State Library; and be it further

Resolved, That a committee of three of the Senate and five of the House be appointed to make suitable arrangements for the presentation and acceptance of the diary, and that Captain Adolphus Sterne of Palestine be notified of this action of the Legislature, and be requested to be present on this occasion; and be it further

Resolved, That the members of the Library and Historical Commission, the members of the Daughters of the Texas Republic, and the members of the Daughters of the Confederacy be invited to be present; and be it further

Resolved, That the hour set for the presentation and acceptance of the diary of Captain Adolphus Sterne be fixed at 11 o'clock a. m., Tuesday, February 10, 1925.

The resolution was read second time and was adopted.

#### RELATING TO VOTING MACHINE.

Mr. Rawlins offered the following resolution:

Whereas, The electric voting machine, now in use in the House of Representatives, is badly in need of some new globes; now, therefore be it

Resolved, That the voting machine operator be instructed to install new globes and that the cost of same be paid out of the contingent expense fund of the House.

The resolution was read second time and was adopted.

#### RELATING TO ASSISTANT READING CLERK.

Mr. Rowland offered the follow resolution:

Whereas, Our Assistant Reading Clerk is rendering efficient and valuable service to the House; and

Whereas, He is only being paid \$6 per day; now, therefore be it

Resolved, That his salary be raised to \$7.50 per day.

Signed—Rowland, Kemble.

The resolution was read second time and was lost.

#### HOUSE BILL NO. 90 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 90, A bill to be entitled "An Act amending Article 5655 and Article 5658, Chapter 7, Title 86, Revised Civil Statutes of Texas, 1911, regarding instruments intended to operate as liens on personal property, and providing for the filing and registration thereof, and the effect of such instruments when not filed for registration, by adding thereto a provision in reference to the filing and registration of transfers of chattel mortgages, deeds of trust and other evidences of lien upon personal property."

The bill having heretofore been read second time.

House bill No. 90 was then passed to engrossment.

#### SENATE BILL NO. 107 ON SECOND READING.

On motion of Mr. Montgomery, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 107, A bill to be entitled "An Act to renew and extend for an additional period of two years certain oil and gas permits issued on other than public school and University lands, under date of February 3, 1920, under which a well has already been drilled to a depth of 3000 feet or more, and providing for payment of rental and making report of operations to Commissioner of the General Land Office, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 107 ON THIRD READING.

Mr. Montgomery moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 107 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.

Albritton.

Alexander

of Bastrop.

Alexander

of Limestone.

Amsler.

Baker of Orange.

Baker of Panola.	Lane of Harrison.
Barron.	Loftin.
Bartlett.	Low.
Bateman.	Mankin.
Bean.	Masterson.
Bird.	McBride.
Bobbitt.	McDonald.
Boggs.	McDougald.
Bonham.	McFarlane.
Cade.	McGill.
Carter.	McKean.
Chitwood.	McNatt.
Coffey.	Merritt.
Conway.	Montgomery.
Coody.	Moore.
Covey.	Nicholson.
Cox of Navarro.	Parish.
Cummings.	Perdue.
Daniels.	Pool.
Davis of Dallas.	Pope.
Davis of Wood.	Powell.
DeBerry.	Purl.
Dielmann.	Rawlins.
Donnell.	Renfro.
Downs.	Rice.
Dunn of Falls.	Rowell.
Dunn of Hopkins.	Rowland.
Durham.	Shearer.
Enderby.	Sheats.
Fields.	Simmons.
Florence.	Sinks.
Foster.	Smith of Nueces.
Frnka.	Sparks.
Gray.	Stautzenberger.
Hall.	Stout.
Harman.	Strong.
Harper.	Taylor.
High.	Tomme.
Hollowell.	Veatch.
Hoskins.	Wade.
Irwin.	Walker.
Jasper.	Westbrook.
Jones.	Wester.
Jordan.	Williamson.
Kenyon.	Wilson.
King.	Woodruff.
Lane of Hamilton.	Young.

## Nays—5.

Avis.	Laird.
Bryant.	Stevens.
Graves.	

## Present—Not Voting.

Brown.	Webb.
Stell.	

## Absent.

Atkinson.	Jacks.
Barker.	Justice.
Blount.	Kayton.
Cox of Lamar.	Kemble.
Dale.	Kinnear.
Finlay.	Kittrell.
Hagaman.	Poage.
Houston.	Robinson.

Rogers.	Smyth.
Runge.	Stevenson.
Smith of Travis.	Teer.

## Absent—Excused.

Bedford.	Pearce.
Dinkle.	Petsch.
Dunlap.	Raymer.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Johnson.	Thompson.
Lipscomb.	Wallace.
Maxwell.	Wells.
Pavlica.	

The Speaker then laid Senate bill No. 107 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—107.

Acker.	Hall.
Albritton.	Harper.
Alexander	High.
of Bastrop.	Hollowell.
Alexander	Hoskins.
of Limestone.	Jacks.
Amsler.	Jasper.
Baker of Orange.	Jones.
Baker of Panola.	Jordan.
Barker.	Justice.
Barron.	Kemble.
Bateman.	Kenyon.
Bird.	King.
Bobbitt.	Kinnear.
Boggs.	Kittrell.
Bonham.	Lane of Hamilton.
Brown.	Lane of Harrison.
Cade.	Loftin.
Carter.	Low.
Chitwood.	Mankin.
Coffey.	Masterson.
Conway.	McBride.
Coody.	McDonald.
Covey.	McFarlane.
Cox of Lamar.	McGill.
Cox of Navarro.	McKean.
Cummings.	McNatt.
Dale.	Merritt.
Davis of Wood.	Montgomery.
DeBerry.	Moore.
Dielmann.	Nicholson.
Donnell.	Parish.
Downs.	Perdue.
Dunn of Falls.	Poage.
Dunn of Hopkins.	Pool.
Durham.	Pope.
Enderby.	Powell.
Fields.	Purl.
Florence.	Rawlins.
Foster.	Renfro.
Frnka.	Rice.
Gray.	Rogers.
Hagaman.	Rowell.

Shearer.	Taylor.
Sheats.	Tomme.
Simmons.	Veatch.
Sinks.	Wade.
Smith of Nueces.	Walker.
Smyth.	Westbrook.
Sparks.	Wester.
Stautzenberger.	Williamson.
Stevenson.	Wilson.
Stout.	Woodruff.
Strong.	Young.

Nays—6.

Avis.	Graves.
Bean.	Laird.
Bryant.	Stell.

Present—Not Voting.

Daniels.	Webb.
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Absent.

Atkinson.	Kayton.
Bartlett.	McDougald.
Blount.	Robinson.
Davis of Dallas.	Rowland.
Finlay.	Runge.
Harman.	Smith of Travis.
Houston.	Stevens.
Irwin.	Teer.

Absent—Excused.

Bedford.	Pearce.
Dinkle.	Petsch.
Dunlap.	Raymer.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Johnson.	Thompson.
Lipscomb.	Wallace.
Maxwell.	Wells.
Pavlica.	

## HOUSE BILL NO. 47 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 47, A bill to be entitled "An Act amending Articles 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 59 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 59, A bill to be entitled

"An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1 of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

The bill was read third time and was passed.

## HOUSE BILL NO. 147 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 147, A bill to be entitled "An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 169 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 169, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas, 1911, providing additional purposes for which corporations may be formed under the laws of Texas."

The bill was read third time.

Mr. Kittrell offered the following amendment to the bill:

Amend by adding a new section to be known as "Section H" which shall read as follows: "To mine lignite and convert same into merchantable fuel."

The amendment was adopted.

House bill No. 169 was then finally passed.

## HOUSE BILL NO. 94 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 94, A bill to be entitled "An Act to amend Article 1610, Title 18 of the Penal Code of the State of Texas, relating to the modes of punishment of convicts, fixing punishment for violations thereof, and declaring an emergency."

The bill was read second time.

Mr. Baker of Orange offered the following amendment to the bill:

Amend House bill No. 94, line 39, add after word "months" "provided, however, nothing in this act shall prohibit



the use of the electric prod pole as a means of punishment."

On motion of Mr. Irwin, the amendment was tabled.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 94, Section 1, second paragraph, making the first sentence end with the word "humane"; by cutting out the last word in line 15, all of line 16, and the first word in line 17; change the words "ten days" to "three days" in line 20.

On motion of Mr. Irwin the amendment was tabled.

Mr. Wilson offered the following amendment to the bill:

Amend House bill No. 94, Section 3, as follows: And be it further enacted that all penitentiary commissioners, guards and other employes, be and are hereby relieved of any and all responsibility for peace, order and discipline in the penitentiary, and it shall be the duty of the people of the State of Texas through their Legislative acts to so hospitably entertain, sympathize with, love, cherish, and heap coals of fire upon the heads of the aforesaid criminals and felons who are inmates of the penitentiary that they will be ashamed to come back and impose upon the hospitality of the State of Texas again, but will seek other parts.

On motion of Mr. Westbrook the amendment was tabled.

Mr. Barker offered the following amendment to the bill:

Amend House bill No. 94, in line 19, after the word "order" by inserting: "Provided that no punishment shall be administered between the hours of 9 o'clock p. m. and 5 o'clock a. m. that would prevent the prisoner from getting a night's sleep."

Mr. Fields moved that further consideration of the bill be postponed until next Friday.

On motion of Mr. Irwin the motion to postpone was tabled.

On motion of Mr. Irwin the amendment by Mr. Barker was tabled.

Mr. Dale moved the previous question on the engrossment of the bill, and the motion was not seconded.

Mr. Irwin offered the following amendment to the bill:

Amend House bill No. 94 by inserting on line 19 "unless there is an emergency."

The amendment was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 94 was then passed to engrossment by the following vote:

Yeas—65.

Acker.	Jacks.
Albritton.	Jasper.
Alexander	Jones.
of Bastrop.	Jordan.
Alexander	Kayton.
of Limestone.	Kinnear.
Barker.	Laird.
Bartlett.	Lane of Hamilton.
Boggs.	McBride.
Brown.	McDougald.
Bryant.	McGill.
Chitwood.	Merritt.
Conway.	Moore.
Coody.	Poage.
Covey.	Powell.
Cox of Lamar.	Purl.
Cox of Navarro.	Rawlins.
Cummings.	Renfro.
Dale.	Robinson.
Daniels.	Rowell.
Davis of Dallas.	Rowland.
Donnell.	Sheats.
Dunn of Hopkins.	Simmons.
Enderby.	Stell.
Florence.	Stevens.
Foster.	Stevenson.
Frnka.	Veatch.
Graves.	Walker.
Harman.	Webb.
Harper.	Westbrook.
High.	Wester.
Hollowell.	Williamson.
Hoskins.	Woodruff.
Irwin.	Young.

Nays—45.

Atkinson.	Mankin.
Baker of Orange.	Masterson.
Baker of Panola.	McDonald.
Barron.	McFarlane.
Bateman.	Montgomery.
Bean.	Nicholson.
Bobbitt.	Parish.
Bonham.	Perdue.
Cade.	Pool.
Coffey.	Pope.
DeBerry.	Rice.
Dielmann.	Rogers.
Downs.	Shearer.
Dunn of Falls.	Sinks.
Durham.	Smith of Nueces.
Fields.	Sparks.
Hall.	Stautzenberger.
Justice.	Stout.
Kemble.	Taylor.
King.	Teer.
Lane of Harrison.	Tomme.
Loftin.	Wade.
Low.	Wilson.

Present—Not Voting.

Carter.	Gray.
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## Absent.

Amsler.	Kenyon.
Avis.	Kittrell.
Bird.	McKean.
Blount.	McNatt.
Davis of Wood.	Runge.
Finlay.	Smith of Travis.
Hagaman.	Smyth.
Houston.	Strong.

## Absent—Excused.

Bedford.	Pearce.
Dinkle.	Petsch.
Dunlap.	Raymer.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Johnson.	Thompson.
Lipscomb.	Wallace.
Maxwell.	Wells.
Pavlica.	

Mr. Irwin moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table was lost.

## SENATE BILL NO. 101 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 101, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State government for the two-year period, beginning September 1, 1925, and ending August 31, 1927, and declaring an emergency."

The bill was read second time.

Mr. Blount offered the following amendment to the bill:

Amend Senate bill No. 101 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salaries of judges, and for the support and maintenance of the judicial department of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927.

## JUDICIARY.

## COURT OF CIVIL APPEALS, FIRST DISTRICT—GALVESTON.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges	\$ 15,000.00	\$ 15,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Bailiff	100.00	100.00
Porter	600.00	600.00
Books for library	500.00	500.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	600.00	600.00
Furniture and typewriters	200.00	100.00
Fuel and lights	300.00	300.00
Totals	\$ 23,300.00	\$ 23,200.00

## COURT OF CIVIL APPEALS, SECOND DISTRICT—FORT WORTH.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges	\$ 15,000.00	\$ 15,000.00
Clerk	3,000.00	3,000.00
Deputy clerk	1,500.00	1,500.00
Stenographer	1,500.00	1,500.00
Porter	600.00	600.00
Bailiff	100.00	100.00

	For the Years Ending	
	Aug. 31, 1926.	Aug. 31, 1927.
Books for library.....	500.00	500.00
Record books and stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses.....	600.00	600.00
Repairs and furniture.....	50.00	50.00
Totals .....	\$ 22,850.00	\$ 22,850.00

## COURT OF CIVIL APPEALS, THIRD DISTRICT—AUSTIN.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Law books for library.....	1,050.00	250.00
Record books, stationery, ice, telephone, express, postage, box rent and contingent expenses.....	600.00	600.00
Bailiff .....	100.00	100.00
Typewriters .....	.....	.....
Renovation of Court quarters, including doing over the walls, woodwork and furniture, floor coverings and new furniture.....	2,500.00	
Totals .....	\$ 25,850.00	\$ 22,550.00

## COURT OF CIVIL APPEALS, FOURTH DISTRICT—SAN ANTONIO.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Books for library .....	500.00	500.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Furniture .....	100.00	100.00
Typewriter .....	100.00	100.00
Totals .....	\$ 23,000.00	\$ 23,000.00

## COURT OF CIVIL APPEALS, FIFTH DISTRICT—DALLAS.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Two stenographers .....	2,700.00	2,700.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Books for library .....	500.00	500.00

	For the Years Ending	
	Aug. 31, 1926.	Aug. 31, 1927.
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Totals .....	\$ 23,000.00	\$ 23,000.00

## COURT OF CIVIL APPEALS, SIXTH DISTRICT—TEXARKANA.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Bookcases, library .....	2,500.00	100.00
Binding books .....	500.00	
For rugs and floor coverings .....	500.00	
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Books for library and subscriptions .....	500.00	500.00
Lights and fuel .....	300.00	300.00
Typewriters .....	200.00	100.00
Filing cases .....	100.00	
Furniture and desks for office, court room and library .....	250.00	100.00
Totals .....	\$ 23,400.00	\$ 22,700.00

## COURT OF CIVIL APPEALS, SEVENTH DISTRICT—AMARILLO.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Books for library .....	750.00	750.00
Fuel .....	75.00	75.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Totals .....	\$ 23,125.00	\$ 23,125.00

## COURT OF CIVIL APPEALS, EIGHTH DISTRICT—EL PASO.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Books for library .....	500.00	500.00

	For the Years Ending	
	Aug. 31, 1926.	Aug. 31, 1927.
Furniture .....	100.00	100.00
Record books and stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Fuel .....	150.00	150.00
Typewriters .....		150.00
Totals .....	\$ 23,050.00	\$ 23,200.00

## COURT OF CIVIL APPEALS, NINTH DISTRICT—BEAUMONT.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Books for library .....	500.00	500.00
Furniture and typewriters.....	100.00	100.00
Record books and stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Fuel .....	125.00	125.00
Totals .....	\$ 23,025.00	\$ 23,025.00

## COURT OF CIVIL APPEALS, TENTH DISTRICT—WACO.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 15,000.00	\$ 15,000.00
Clerk .....	3,000.00	3,000.00
Deputy clerk .....	1,500.00	1,500.00
Stenographer .....	1,500.00	1,500.00
Porter .....	600.00	600.00
Bailiff .....	100.00	100.00
Books for library .....	1,000.00	1,000.00
Filing cases and furniture .....	250.00	250.00
Record books and stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses .....	600.00	600.00
Lights and fuel.....	125.00	125.00
Totals .....	\$ 23,675.00	\$ 23,675.00

## COURT OF CRIMINAL APPEALS.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 19,500.00	\$ 19,500.00
Bailiff and stenographer .....	1,800.00	1,800.00
Stenographers, two .....	3,600.00	3,600.00
Reporter .....	3,000.00	3,000.00
Clerk .....	3,000.00	3,000.00
Porter .....	720.00	720.00
Postage and box rent .....	250.00	250.00
Law books .....	500.00	500.00

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Record books and stationery.....	700.00	700.00
Publishing Criminal Court Reports.....	3,350.00	3,350.00
Contingent expenses .....	200.00	200.00
Furniture, file cases and pictures of deceased judges .....	300.00	300.00
Telephone .....	132.00	132.00
Envelopes for filing records .....	500.00	
Totals .....	\$ 37,552.00	\$ 37,052.00

## JUDICIARY—COMPTROLLER'S DEPARTMENT.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Ninety-seven district judges .....	\$ 388,000.00	\$ 388,000.00
Forty-nine district attorneys .....	25,000.00	25,000.00
Expenses of judges and district attorneys as allowed by the Acts of the Thirty-second Legislature, payable in equal quarterly installments...	40,000.00	40,000.00
Five criminal district attorneys .....	2,500.00	2,500.00
Assistant district attorneys Bexar and El Paso counties, at \$2,500.00 each .....	5,000.00	5,000.00
Six criminal judges at \$4,000.00 each.....	24,000.00	24,000.00
Expenses of attached witnesses and witness fees and mileage allowed in felony cases who reside in counties other than the county in which the cause is being tried .....	175,000.00	160,000.00
Fees of county attorneys, justices of the peace, sheriffs and constables in examining trials.....	70,000.00	70,000.00
Fees and costs of sheriffs, attorneys and clerks in felony cases .....	475,000.00	450,000.00
Fees, cost and per diem of fifty-two district attorneys .....	115,000.00	115,000.00
Salaries of special judges .....	7,500.00	7,500.00
To pay expenses of district judges in holding court outside of their own district.....	1,000.00	1,000.00
To pay special judges of the Supreme Court, Courts of Criminal and Civil Appeals, where disqualification of the regular judge exists and special judges appointed .....	5,000.00	5,000.00
To pay costs and fees of officers in cases of escheated estates, including cases on which such costs and fees have already accrued and owing by the State .....	100.00	100.00
For the payment of transcripts in cases where the court is required to and does appoint an attorney to represent the defendant in a criminal action and where the official reporter is required and does furnish the attorneys for the defendant if convicted with the transcript of his notes as provided for in Section 14, Chapter 119, page 264 of the General Laws of the State of Texas passed by the Regular Session of the Thirty-second Legislature .....	250.00	250.00
Totals .....	\$1,333,350.00	\$1,293,350.00

## STATE'S ATTORNEY BEFORE COURT OF CRIMINAL APPEALS.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
State's attorney .....	\$ 3,600.00	\$ 3,600.00
Assistant State's attorney .....	3,000.00	3,000.00
Law clerk and stenographer.....	1,800.00	1,800.00
Law books .....	100.00	100.00
Telephone, postage, box rent and contingent ex- penses .....	185.00	185.00
Furniture and book cases.....	100.00	100.00
Totals .....	\$ 8,785.00	\$ 8,785.00

## SUPREME COURT.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Salaries of:		
Three judges .....	\$ 19,500.00	\$ 19,500.00
Clerk .....	2,500.00	2,500.00
Reporter .....	3,000.00	3,000.00
Stenographers and law clerks, three.....	5,400.00	5,400.00
Assistant librarian and marshal.....	1,500.00	1,500.00
Porter, judge's room .....	600.00	600.00
Porter, court room, clerk's office and library....	720.00	720.00
Publishing Supreme Court Reports.....	1,150.00	1,150.00
Furniture, record books, stationery, typewriters, postage and expenses .....	2,000.00	2,000.00
Purchase of law books for the Supreme Court libra- ry and consultation room to be selected and pur- chased by the court for rebinding.....	3,000.00	3,000.00
Contingent expenses .....	300.00	300.00
Totals .....	\$ 39,670.00	\$ 39,670.00

Provided that the amounts herein appropriated for each item as herein stated, and no more, shall be paid out of the general revenue for the Judiciary during the fiscal years beginning September 1, 1925, and ending August 31, 1927, and no surplus shall be diverted from one account to another account.

Provided that all accounts under this section which require the approval of any district judge shall be examined by the Comptroller, and if correct, he shall issue his warrant therefor, but if he shall find same incorrect, in whole or in part, he may cause an audit of same to be made before warrant is issued.

Provided that the Governor, in case of an extraordinary emergency may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this act shall remain in the State treasury and be paid out only as it is expended, or as the necessity or emergency may require.

Provided, that it shall be the duty of the clerks of the various courts above mentioned on the first Monday in July, October, January and April of each year to make a report to the Comptroller, showing the amount of fees collected each year, giving the number of cases, but not necessarily the style of case, together with the fees from other sources, stating in each instance the source.

Fees shall be fixed, charged and collected from book companies, litigants, and their attorneys and all others for all unofficial and certified copies of opinions of the court made or furnished by said court or the clerk, stenographers or other employes thereof, and fees shall be fixed, charged and collected for all other services rendered by said court, the clerk, stenographers or other employes to book companies, litigants and their attorneys and all other not now furnished or required to be furnished free of charge, and all of said fees and charges, when collected, shall be paid into the treasury of the State of Texas.

Provided, that each and every employe under this act shall be paid by voucher, issued in his or her name; said voucher shall state the amount of salary or sum due, and for what services performed, with the date and time of such service, and no money or moneys shall be paid except upon presentation of said voucher or vouchers indorsed by the payee.

## RECAPITULATION.

	For the Years Ending	
	Aug. 31, 1926	Aug. 31, 1927
Court of Civil Appeals—First District.....	\$ 23,300.00	\$ 23,200.00
Court of Civil Appeals—Second District.....	22,850.00	22,850.00
Court of Civil Appeals—Third District.....	25,850.00	22,550.00
Court of Civil Appeals—Fourth District.....	23,000.00	23,000.00
Court of Civil Appeals—Fifth District.....	23,000.00	23,000.00
Court of Civil Appeals—Sixth District.....	23,400.00	22,700.00
Court of Civil Appeals—Seventh District.....	23,125.00	23,125.00
Court of Civil Appeals—Eighth District.....	23,050.00	23,200.00
Court of Civil Appeals—Ninth District.....	23,025.00	23,025.00
Court of Civil Appeals—Tenth District.....	23,675.00	23,675.00
Court of Criminal Appeals.....	37,552.00	37,052.00
Judiciary—Comptroller's Department.....	1,333,350.00	1,293,350.00
State's Attorney before Court of Criminal Appeals	8,785.00	8,785.00
Supreme Court.....	39,670.00	39,670.00

Grand Total—Judiciary budget.....\$1,652,932.00 \$1,608,482.00

Total for both years.....\$3,261,414.00

Section 2. The fact that the above and foregoing is one of the regular appropriation bills for the support of the State government for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, creates a necessity for the expediting of the passage of this appropriation bill, therefore creates an emergency and an imperative public necessity which demands that the rule requiring bills to be read on three several days be suspended and that this bill become effective from and after its passage, and it is so enacted.

The amendment was adopted.

Senate bill No. 101 was then passed to third reading by the following vote:

Yeas—102.

Acker.	Coody.	High.	Renfro.
Albritton.	Covey.	Hollowell.	Rice.
Alexander	Cox of Lamar.	Hoskins.	Robinson.
of Bastrop.	Cummings.	Irwin.	Rogers.
Alexander	Dale.	Jacks.	Rowell.
of Limestone.	Daniels.	Jordan.	Rowland.
Atkinson.	Davis of Dallas.	Justice.	Shearer.
Avis.	DeBerry.	Kemble.	Sheats.
Baker of Orange.	Donnell.	Kinnear.	Simmons.
Baker of Panola.	Downs.	Kittrell.	Sinks.
Barker.	Dunn of Falls.	Lane of Hamilton.	Smith of Travis.
Barron.	Dunn of Hopkins.	Lane of Harrison.	Smyth.
Bateman.	Durham.	Low.	Sparks.
Bean.	Enderby.	Mankin.	Stautzenberger.
Blount.	Fields.	Masterson.	Stell.
Bobbitt.	Florence.	McBride.	Stevens.
Boggs.	Foster.	McFarlane.	Stevenson.
Bonham.	Frnka.	McGill.	Stout.
Bryant.	Graves.	McKean.	Strong.
Cade.	Gray.	Merritt.	Taylor.
Carter.	Hagaman.	Montgomery.	Teer.
Chitwood.	Hall.	Moore.	Tomme.
Coffey.	Harman.	Nicholson.	Veatch.
Conway.	Harper.	Parish.	Walker.
		Perdue.	Webb.
		Poage.	Westbrook.
		Pool.	Wester.
		Pope.	Williamson.
		Purl.	Wilson.
		Rawlins.	Young.



## Present—Not Voting.

Powell.

## Absent.

Amsler.	Kenyon.
Bartlett.	King.
Bird.	Laird.
Brown.	Loftin.
Cox of Navarro.	McDonald.
Davis of Wood.	McDougald.
Dielmann.	McNatt.
Finlay.	Runge.
Houston.	Smith of Nueces.
Jasper.	Wade.
Jones.	Woodruff.
Kayton.	

## Absent—Excused.

Bedford.	Pearce.
Dinkle.	Petsch.
Dunlap.	Raymer.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Johnson.	Thompson.
Lipscomb.	Wallace.
Maxwell.	Wells.
Pavlica.	

## SENATE BILL NO. 101 ON THIRD READING.

Mr. Blount moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Acker.	Cox of Lamar.
Albritton.	Cox of Navarro.
Alexander	Cummings.
of Bastrop.	Dale.
Alexander	Davis of Dallas.
of Limestone.	DeBerry.
Atkinson.	Dielmann.
Avis.	Donnell.
Baker of Orange.	Downs.
Baker of Panola.	Dunn of Falls.
Barker.	Dunn of Hopkins.
Barron.	Enderby.
Bartlett.	Fields.
Bateman.	Florence.
Bean.	Foster.
Blount.	Frnka.
Bobbitt.	Graves.
Boggs.	Gray.
Bonham.	Hagaman.
Bryant.	Harman.
Carter.	Harper.
Chitwood.	High.
Coffey.	Hollowell.
Conway.	Hoskins.
Coody.	Jacks.
Covey.	Jordan.

Justice.	Rogers.
Kemble.	Rowell.
King.	Rowland.
Kinnear.	Sheats.
Kittrell.	Simmons.
Lane of Hamilton.	Sinks.
Lane of Harrison.	Smith of Nueces.
Low.	Sparks.
Mankin.	Stautzenberger.
Masterson.	Stell.
McBride.	Stevens.
McFarlane.	Stevenson.
McGill.	Stout.
McKean.	Strong.
Montgomery.	Taylor.
Moore.	Teer.
Nicholson.	Tomme.
Parish.	Veatch.
Poage.	Wade.
Pool.	Walker.
Pope.	Webb.
Powell.	Westbrook.
Purl.	Wester.
Rawlins.	Williamson.
Renfro.	Wilson.
Rice.	Young.
Robinson.	

## Absent.

Amsler.	Kenyon.
Bird.	Laird.
Brown.	Loftin.
Cade.	McDonald.
Daniels.	McDougald.
Davis of Wood.	McNatt.
Durham.	Merritt.
Finlay.	Perdue.
Hall.	Runge.
Houston.	Shearer.
Irwin.	Smith of Travis.
Jasper.	Smyth.
Jones.	Woodruff.
Kayton.	

## Absent—Excused.

Bedford.	Pearce.
Dinkle.	Petsch.
Dunlap.	Raymer.
Farrar.	Sanford.
Faulk.	Simpson.
Hull.	Storey.
Johnson.	Thompson.
Lipscomb.	Wallace.
Maxwell.	Wells.
Pavlica.	

The Speaker then laid Senate bill No. 101 before the House on its third reading and final passage.

The bill was read third time and was passed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 30, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.  
Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. C. R. No. 15, In reference to diary of Capt. Adolphus Sterne.

S. C. R. No. 9, Relating to State song.

S. B. No. 85, A bill to be entitled "An Act providing for the development and improvement of navigation of the inland and coastal waters of this State, pursuant to Section 59 of Article 16 of the State Constitution; providing for the preservation and conservation of inland and coastal waters of this State under said constitutional provisions; providing for navigation districts; providing for the raising of the necessary funds, the issuance of bonds, and the levying and collection of necessary taxes for such purposes; providing all things necessary and incident to such purpose and subject."

S. B. No. 72, A bill to be entitled "An Act to amend Section 1 and Section 5 of Chapter 16, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 58, Acts of the Regular Session of the Thirty-fifth Legislature, constituting the judges of the district courts and county judges of counties of certain population a juvenile board of such county and prescribing the powers and duties of such board, including officers, and providing for the payment of compensation for such officers and allowing the said district judges an additional salary to be paid out of the general fund of such county; providing for the fixing of such additional salary by the commissioners court of such counties, and declaring an emergency."

S. B. No. 88, A bill to be entitled "An Act to amend Article 3903, Revised Civil Statutes of 1911, as amended by the Acts of the Thirty-seventh Legislature at its Regular Session, Chapter 96 of the General Laws, relating to the appointment and compensation of deputies and assistants of certain district and county officers and providing for appointment and compensation from county funds of special deputy district clerks in counties of two hundred thousand population or more and containing a city of over one hundred and sixty thousand inhabitants and in which counties there are more than one district court so as to provide additional compensation upon approval of the commissioners court upon certain conditions and after certain length of service and providing for payment from fees of office only and repealing all laws in conflict herewith."

S. B. No. 82, A bill to be entitled "An Act to amend Sections 1 and 15 of

Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, extending the term of said commission to the last Saturday in June, 1925, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1925, until the last Saturday in June, 1931, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

And has refused to engross,

S. B. No. 17, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the United States Department of Agriculture in the destruction of rodent pests—prairie dogs, rats, pocket gophers and ground squirrels; and predatory animals—coyotes, wolves, mountain lions, bobcats and other predatory animals; appropriating funds for such purposes, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 85, to Committee on Conservation and Reclamation.

Senate bills Nos. 88, 82 and 72, to Judiciary Committee.

#### MOTION TO PRINT HOUSE BILL NO. 144.

Mr. Kinnear moved that House bill No. 144, reported adversely with a minority favorable report, be printed.

On motion of Mr. Montgomery, the motion to print was tabled.

## RECESS.

Mr. Teer moved that the House recess to 3 o'clock p. m. today.

Mr. Young moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Teer prevailed, and the House accordingly, at 12 o'clock m., took recess to 3 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

## RELATING TO SALARY OF ASSISTANT READING CLERK.

Mr. Chitwood moved to reconsider the vote by which the resolution by Mr. Rowland to raise the pay of the Assistant Reading Clerk was lost.

The motion to reconsider prevailed.

Mr. Young moved to table the resolution, and the motion to table was lost.

Question then recurring on the resolution, it was adopted.

Mr. Fields moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

## ADDRESSES BY HON. C. N. AVERY AND DR. SCHOCH.

In accordance with a resolution heretofore adopted, inviting Hon. C. N. Avery, president of the Southwest Water Works Association, to address the House, the Speaker announced the appointment of the following committee to escort Mr. Avery and Dr. Schoch to the Speaker's stand:

Messrs. Baker of Orange, Shearer and Teer.

The committee having performed their duty, Speaker Satterwhite presented Hon. C. N. Avery.

Hon. C. N. Avery then addressed the House.

Speaker Satterwhite then presented Dr. Schoch of the University of Texas, who also addressed the House.

## PENITENTIARY INVESTIGATING COMMITTEE.

The Speaker announced the appointment of the following committee on the part of the House to investigate the penitentiary system as provided in S. C. R. No. 13:

Messrs. Chitwood, King, Irwin, Farrar and Stevenson.

## HOUSE BILL NO. 49 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act making unlawful the making of use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or of any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property or credit, or making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 30, 1925.  
Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 101 and requests a conference committee to adjust the differences between the House and the Senate. Senators Wood, Strong, Moore of Hunt, Davis and Fairchild have been named as conferees on the part of the Senate.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

## HOUSE BILL NO. 57 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 57, A bill to be entitled "An Act creating an additional district court for Dallas county; defining its jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 57 ON THIRD  
READING.

Mr. Jacks moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Acker.	Kayton.
Albritton.	Kenyon.
Alexander	King.
of Bastrop.	Kinnear.
Alexander	Kittrell.
of Limestone.	Laird.
Amsler.	Lane of Hamilton.
Atkinson.	Lane of Harrison.
Avis.	Loftin.
Baker of Orange.	Low.
Baker of Panola.	Masterson.
Barker.	McBride.
Barron.	McDonald.
Bartlett.	McDougald.
Bateman.	McFarlane.
Bean.	McGill.
Bedford.	McKean.
Boggs.	Merritt.
Bonham.	Montgomery.
Brown.	Moore.
Bryant.	Nicholson.
Chitwood.	Perdue.
Coffey.	Poage.
Conway.	Pope.
Coody.	Powell.
Covey.	Purl.
Cox of Lamar.	Rawlins.
Cummings.	Renfro.
Dale.	Rice.
Davis of Dallas.	Robinson.
Davis of Wood.	Runge.
DeBerry.	Shearer.
Dielmann.	Sheats.
Donnell.	Simmons.
Downs.	Sinks.
Dunn of Falls.	Smith of Nueces.
Dunn of Hopkins.	Smyth.
Durham.	Sparks.
Enderby.	Stautzenberger.
Fields.	Stell.
Florence.	Stevenson.
Frnka.	Stout.
Graves.	Strong.
Gray.	Taylor.
Hagaman.	Teer.
Harman.	Tomme.
Harper.	Veatch.
Hollowell.	Walker.
Irwin.	Webb.
Jacks.	Westbrook.
Jasper.	Wester.
Jones.	Woodruff.
Justice.	Young.

Absent.

Bird.	Kemble.
Blount.	Mankin.
Bobbitt.	McNatt.
Cade.	Parish.
Carter.	Pool.
Cox of Navarro.	Rogers.
Daniels.	Rowell.
Finlay.	Rowland.
Foster.	Smith of Travis.
Hall.	Stevens.
High.	Wade.
Hoskins.	Williamson.
Houston.	Wilson.
Jordan.	

Absent—Excused.

Dinkle.	Pearce.
Dunlap.	Petsch.
Farrar.	Raymer.
Faulk.	Sanford.
Hull.	Simpson.
Johnson.	Storey.
Lipscomb.	Thompson.
Maxwell.	Wallace.
Pavlica.	Wells.

The Speaker then laid House bill No. 57 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Acker.	Davis of Dallas.
Albritton.	Davis of Wood.
Alexander	DeBerry.
of Bastrop.	Dielmann.
Alexander	Donnell.
of Limestone.	Downs.
Amsler.	Dunn of Falls.
Atkinson.	Dunn of Hopkins.
Avis.	Durham.
Baker of Orange.	Enderby.
Baker of Panola.	Fields.
Barker.	Florence.
Barron.	Frnka.
Bartlett.	Graves.
Bateman.	Gray.
Bean.	Hagaman.
Bedford.	Hall.
Boggs.	Harman.
Bonham.	Harper.
Brown.	High.
Bryant.	Hollowell.
Chitwood.	Irwin.
Coffey.	Jacks.
Conway.	Jasper.
Coody.	Jones.
Covey.	Justice.
Cox of Lamar.	Kayton.
Cummings.	Kenyon.
Dale.	King.

Kittrell.	Runge.
Laird.	Shearer.
Lane of Hamilton.	Sheats.
Lane of Harrison.	Simmons.
Loftin.	Sinks.
Low.	Smith of Nueces.
Masterson.	Smyth.
McBride.	Sparks.
McDonald.	Stautzenberger.
McDougald.	Stell.
McFarlane.	Stevenson.
McGill.	Stout.
McKean.	Strong.
Montgomery.	Taylor.
Moore.	Teer.
Nicholson.	Tomme.
Perdue.	Veatch.
Poage.	Walker.
Pope.	Webb.
Powell.	Westbrook.
Purl.	Wester.
Renfro.	Wilson.
Rice.	Woodruff.
Robinson.	Young.

Present—Not Voting.

Carter.

Absent.

Bird.	Mankin.
Blount.	McNatt.
Bobbitt.	Merritt.
Cade.	Parish.
Cox of Navarro.	Pool.
Daniels.	Rawlins.
Finlay.	Rogers.
Foster.	Rowell.
Hoskins.	Rowland.
Houston.	Smith of Travis.
Jordan.	Stevens.
Kemble.	Wade.
Kinnear.	Williamson.

Absent—Excused.

Dinkle.	Pearce.
Dunlap.	Petsch.
Farrar.	Raymer.
Faulk.	Sanford.
Hull.	Simpson.
Johnson.	Storey.
Lipscomb.	Thompson.
Maxwell.	Wallace.
Pavlica.	Wells.

Mr. Jacks moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 49 ON ENGROSSMENT.

Mr. Wilson moved to reconsider the vote by which House bill No. 49 was passed to engrossment.

The motion to reconsider prevailed.

The Speaker then laid House bill No.

49 before the House on its passage to engrossment.

Mr. Wilson offered the following (committee) amendment to the bill:

Amend House bill No. 49 as follows: by inserting in the first paragraph of same, line 5, between the words "person" and "firm," the following words, "or any," and by inserting in paragraph 2, line 3 between the words "person" and "firm," the following words, towit, "or any," and by striking out the word "such" in line 3 of paragraph 3 and inserting in lieu thereof the word "the."

The amendment was adopted.

Mr. McFarlane offered the following amendment to the amendment:

Amend the amendment by adding after "intent," in line 22, page 1, the words "to defraud."

The amendment was adopted.

House bill No. 49 was then passed to engrossment.

#### HOUSE BILL NO. 78 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 78, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31 of the laws passed at the Regular Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Eighty-third Judicial District, so that Section 1 of said act, as it relates to said Eighty-third Judicial District shall hereafter read as follows, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 78 ON THIRD READING.

Mr. Webb moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 78 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Acker.	Barker.
Albritton.	Barron.
Alexander	Bartlett.
of Bastrop.	Bateman.
Alexander	Bean.
of Limestone.	Bedford.
Amsler.	Bobbitt.
Atkinson.	Boggs.
Avis.	Bonham.
Baker of Orange.	Bryant.
Baker of Panola.	Carter.

Chitwood.	McBride.
Coffey.	McDougald.
Conway.	McFarlane.
Coody.	McGill.
Covey.	McKean.
Cox of Lamar.	Merritt.
Cox of Navarro.	Montgomery.
Cummings.	Moore.
Dale.	Nicholson.
Daniels.	Parish.
Davis of Wood.	Perdue.
DeBerry.	Poage.
Dielmann.	Pope.
Donnell.	Powell.
Downs.	Purl.
Dunn of Falls.	Rawlins.
Dunn of Hopkins.	Renfro.
Durham.	Rice.
Fields.	Rogers.
Florence.	Rowell.
Graves.	Runge.
Gray.	Shearer.
Hagaman.	Sheats.
Harper.	Simmons.
High.	Sinks.
Hollowell.	Smyth.
Jacks.	Sparks.
Jasper.	Stautzenberger.
Jones.	Stell.
Jordan.	Stevens.
Justice.	Stout.
Kayton.	Strong.
Kenyon.	Taylor.
King.	Teer.
Kinnear.	Veatch.
Kittrell.	Walker.
Laird.	Webb.
Lane of Hamilton.	Westbrook.
Lane of Harrison.	Wester.
Loftin.	Wilson.
Low.	Woodruff.
Mankin.	Young.
Masterson.	

Absent.

Bird.	Irwin.
Blount.	Kemble.
Brown.	McDonald.
Cade.	McNatt.
Davis of Dallas.	Pool.
Enderby.	Robinson.
Finlay.	Rowland.
Foster.	Smith of Nueces.
Frnka.	Smith of Travis.
Hall.	Stevenson.
Harman.	Tomme.
Hoskins.	Wade.
Houston.	Williamson.

Absent—Excused.

Dinkle.	Maxwell.
Dunlap.	Pavlica.
Farrar.	Pearce.
Faulk.	Petsch.
Hull.	Raymer.
Johnson.	Sanford.
Lipscomb.	Simpson.

Storey.	Wallace.
Thompson.	Wells.

The Speaker then laid House bill No. 78 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Albritton.	Kayton.
Alexander	Kenyon.
of Bastrop.	King.
Alexander	Kinnear.
of Limestone.	Laird.
Amsler.	Lane of Hamilton.
Atkinson.	Lane of Harrison.
Avis.	Loftin.
Baker of Orange.	Low.
Baker of Panola.	Mankin.
Barker.	Masterson.
Barron.	McBride.
Bartlett.	McDonald.
Bateman.	McDougald.
Bean.	McFarlane.
Bedford.	McGill.
Bobbitt.	McKean.
Boggs.	Merritt.
Bonham.	Montgomery.
Brown.	Moore.
Bryant.	Nicholson.
Carter.	Parish.
Chitwood.	Perdue.
Conway.	Poage.
Coody.	Pope.
Covey.	Powell.
Cox of Lamar.	Purl.
Cox of Navarro.	Rawlins.
Cummings.	Renfro.
Dale.	Rice.
Davis of Dallas.	Rogers.
Davis of Wood.	Runge.
DeBerry.	Shearer.
Donnell.	Sheats.
Downs.	Simmons.
Dunn of Falls.	Sinks.
Dunn of Hopkins.	Smyth.
Durham.	Sparks.
Enderby.	Stautzenberger.
Fields.	Stell.
Florence.	Stevens.
Graves.	Stevenson.
Gray.	Stout.
Hagaman.	Strong.
Hall.	Taylor.
Harman.	Veatch.
Harper.	Walker.
High.	Webb.
Hollowell.	Westbrook.
Jacks.	Wester.
Jasper.	Wilson.
Jones.	Woodruff.
Jordan.	Young.

Present—Not Voting.

Wade.

## Absent.

Acker.	Justice.
Bird.	Kemble.
Blount.	Kittrell.
Cade.	McNatt.
Coffey.	Pool.
Daniels.	Robinson.
Dielmann.	Rowell.
Finlay.	Rowland.
Foster.	Smith of Nueces.
Frnka.	Smith of Travis.
Hoskins.	Teer.
Houston.	Tomme.
Irwin.	Williamson.

## Absent—Excused.

Dinkle.	Pearce.
Dunlap.	Petsch.
Farrar.	Raymer.
Faulk.	Sanford.
Hull.	Simpson.
Johnson.	Storey.
Lipscomb.	Thompson.
Maxwell.	Wallace.
Pavlica.	Wells.

## CONFERENCE COMMITTEE ON SENATE BILL NO. 101.

Mr. Dunn of Falls called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 101.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Dunn of Falls moved that the request be granted.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on the part of the House:

Messrs. Blount, Wade, Sanford, Stevens and Rowell.

## HOUSE BILL NO. 79 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust, or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds

of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendor's liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 100 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 100, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and small towns, of aiding the people to provide adequate school facilities for the education of their children for the next two fiscal years, ending August 31, 1926, and August 31, 1927, respectively."

The bill was read second time.

On motion of Mr. Young, the bill was laid on the table subject to call.

## HOUSE BILL NO. 107 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 107, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Second Called Session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free text books, and declaring an emergency."

The bill was read second time.

Mr. Fields offered the following amendment to the bill:

Strike out the word "seven" wherever it occurs and insert the word "five" in lieu thereof.

(Mr. Chitwood in the chair.)

On motion of Mr. McFarlane the amendment was tabled.

Mr. Woodruff offered the following amendment:

Amend House bill No. 107, in line 18,

Section 2, striking out the word "seven" and insert the word "ten."

On motion of Mr. Purl the amendment was tabled.

Mr. Purl moved that the bill be set as a special order for 11 o'clock a. m. next Monday.

The motion was lost.

#### ADDRESS BY HON. JOHN H. KIRBY.

Mr. Webb offered the following resolution:

Whereas, The Hon. John H. Kirby, former member of the House, and a distinguished citizen of Texas, is now within the bar of the House; therefore be it

Resolved, That he be invited to address the House at this time.

Signed—Webb, Frnka, Pool, Stell, Lane of Harrison.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Hon. John H. Kirby to the Speaker's stand:

Messrs. Webb, Kittrell and Acker.

The committee having performed their duty, Mr. Chitwood, who was in the chair, presented Mr. Webb. Mr. Webb in turn introduced Hon. John H. Kirby.

Hon. John H. Kirby then addressed the House.

#### ADDRESS BY HON. NEWT WILLIAMS.

Mr. Shearer offered the following resolution:

Whereas, The Hon. Newt Williams is within the bar of the House; and

Whereas, He served as a distinguished member of this body for twelve years; therefore be it

Resolved, That he be invited to address the House and accorded the privilege of the floor.

Signed—Shearer, Teer, Hall.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Hon. Newt Williams to the Speaker's stand:

Messrs. Shearer, Teer and Hall.

The committee having performed their duty, Mr. Chitwood presented Mr. Hall, who introduced Mr. Williams.

Hon. Newt Williams then addressed the House.

(Speaker in the chair.)

#### ADDRESS BY HON. HORTENSE WARD.

Mr. Irwin offered the following resolution:

Whereas, The Honorable Hortense Ward, Chief Justice of the Supreme Court; the Honorable Hattie Henenberg and the Honorable Ruth Brazzill, Associate Justices, are in the Hall of the House; therefore be it

Resolved, That the distinguished guests be invited to address the House.

Signed—Irwin, Bartlett, Harman.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort the honorable visitors to the Speaker's stand:

Messrs. Irwin, Harman and Bartlett.

Speaker Satterwhite presented Mr. Irwin, who in turn introduced Hon. Hortense Ward.

Hon. Hortense Ward then addressed the House.

Mr. Irwin then introduced Hon. Hattie Henenberg, who also addressed the House.

Mr. Irwin also introduced Miss Ruth Brazzill.

#### NOTICE GIVEN.

Mr. Acker gave notice that he would, on next Tuesday, ask to take up at that time for consideration, House bill No. 89.

#### ADJOURNMENT.

Mr. Hall moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Kittrell moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Hall prevailed, and the House, accordingly, at 5 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills as follows:

Revenue and Taxation—House bill No. 58.

Common Carriers—House bill No. 291.

State Affairs—House bills Nos. 182, 64.

Privileges, Suffrage and Elections—House bill No. 87.



Judiciary—House bill No. 286.  
 Insurance—House bill No. 36.  
 Education—House bills Nos. 68, 101.  
 Judicial Districts—House bill No. 251.  
 Highways and Motor Traffic—House bills Nos. 276, 255, 231, 27, 271, 138.  
 Oil, Gas and Mining—House bill No. 277.  
 Live Stock and Stock Raising—House bill No. 82.  
 Appropriations—Senate bill No. 101.  
 The following committees have filed adverse reports on bills as follows:  
 Highways and Motor Traffic—House bill No. 37.  
 Privileges, Suffrage and Elections—House bill No. 239.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
 Austin, Texas, January 29, 1925.  
 Hon. Lee Satterwhite, Speaker of the House of Representatives.  
 Sir: Your Committee on Engrossed Bills have carefully examined and compared  
 H. B. No. 169, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas, 1911, providing additional purposes for which corporations may be formed under the laws of Texas,"  
 And find the same correctly engrossed.  
 ROWELL, Chairman.

Committee Room,  
 Austin, Texas, January 29, 1925.  
 Hon. Lee Satterwhite, Speaker of the House of Representatives.  
 Sir: Your Committee on Engrossed Bills have carefully examined and compared  
 H. B. No. 59, A bill to be entitled "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1 of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office,"  
 And find the same correctly engrossed.  
 ROWELL, Chairman.

Committee Room,  
 Austin, Texas, January 29, 1925.  
 Hon. Lee Satterwhite, Speaker of the House of Representatives.  
 Sir: Your Committee on Engrossed Bills have carefully examined and compared  
 H. B. No. 147, A bill to be entitled

"An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency,"

And find the same correctly engrossed.  
 ROWELL, Chairman.

Committee Room,  
 Austin, Texas, January 29, 1925.  
 Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 137, A bill to be entitled "An Act creating the Matador Independent School District in Motley county, Texas, defining the boundaries thereof, vesting the management thereof in a board of seven trustees, providing for their election and for the organization of the board, vesting said district with all the rights, powers, privileges and duties of a town or village incorporated under the laws of the State for free school purposes only; vesting the board of trustees with the rights, powers, privileges and duties conferred and imposed by the general laws of this State upon trustees of independent school districts incorporated under the general laws of Texas; providing for the appointment of an assessor and collector of taxes and board of equalization, divesting the title of all property theretofore and now vested in Common School District No. 6, Motley county, Texas, out of said district and vesting the same in the board of trustees of Matador Independent School District of Motley county; declaring in full force and effect all maintenance tax heretofore voted, and all bonds heretofore issued by said Common School District No. 6 of Motley county, to be in full force and effect in so far as this act might affect them, and declaring an emergency,"

And find the same correctly engrossed.  
 ROWELL, Chairman.

Committee Room,  
 Austin, Texas, January 29, 1925.  
 Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 47, A bill to be entitled "An Act amending Articles 7542 and 7569 of Title 26, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall

be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.  
ROWELL, Chairman.

#### SIXTEENTH DAY.

(Monday, February 2, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Gray.
Albritton.	Hagaman.
Alexander	Hall.
of Bastrop.	Harman.
Alexander	High.
of Limestone.	Hollowell.
Atkinson.	Hoskins.
Avis.	Irwin.
Baker of Orange.	Jacks.
Baker of Panola.	Jasper.
Barker.	Johnson.
Barron.	Jones.
Bartlett.	Jordan.
Bateman.	Justice.
Bean.	Kemble.
Bedford.	Kenyon.
Bird.	King.
Blount.	Kinnear.
Bonham.	Kittrell.
Brown.	Laird.
Bryant.	Lane of Hamilton.
Cade.	Lane of Harrison.
Carter.	Lipscomb.
Chitwood.	Loftin.
Coffey.	Low.
Conway.	Mankin.
Coody.	Masterson.
Covey.	McBride.
Cox of Lamar.	McDonald.
Cox of Navarro.	McDougald.
Cummings.	McFarlane.
Dale.	McGill.
Daniels.	McKean.
Davis of Dallas.	McNatt.
Davis of Wood.	Merritt.
DeBerry.	Moore.
Donnell.	Nicholson.
Downs.	Parish.
Dunn of Falls.	Pavlica.
Dunn of Hopkins.	Pearce.
Enderby.	Perdue.
Farrar.	Petsch.
Faulk.	Poage.
Fields.	Pool.
Finlay.	Pope.
Florence.	Powell.
Foster.	Purl.
Frnka.	Rawlins.
Graves.	Raymer.

Renfro.	Stevenson.
Rice.	Stout.
Robinson.	Strong.
Rogers.	Thompson.
Rowell.	Tomme.
Sanford.	Veatch.
Shearer.	Walker.
Sheats.	Wallace.
Simmons.	Webb.
Sinks.	Wells.
Smith of Travis.	Westbrook.
Smyth.	Wester.
Sparks.	Williamson.
Stautzenberger.	Wilson.
Stell.	Woodruff.
Stevens.	Young.

Absent.

Houston.	Wade.
Teer.	Absent—Excused.

Amsler.	Kayton.
Bobbitt.	Maxwell.
Boggs.	Montgomery.
Dielmann.	Rowland.
Dinkle.	Runge.
Dunlap.	Simpson.
Durham.	Smith of Nueces.
Harper.	Storey.
Hull.	Taylor.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.

Mr. Simpson for today, on motion of Mr. Lane of Harrison.

Mr. Rowland for today, on motion of Mr. Kemble.

Mr. Kayton for today, on motion of Mr. Pope.

Mr. Harper for today, on motion of Mr. Stell.

Mr. Hull and Mr. Dielmann for today, on motion of Mr. Cade.

Mr. Amsler for today and tomorrow, on motion of Mr. Alexander.

Mr. Taylor for today, on motion of Mr. Fields.

Mr. Runge for today, on motion of Mr. Barron.

Mr. Bobbitt for today, on motion of Mr. Rawlins.

Mr. Montgomery for today, on motion of Mr. Nicholson.

Mr. Dinkle for today and the balance of the week, on motion of Mr. Donnell.

Mr. Storey for today, on motion of Mr. Daniels.